

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

JURUPA UNIFIED SCHOOL DISTRICT
AND RIVERSIDE SELPA.

OAH Case No. 2015020721

ORDER DENYING REQUEST FOR
CONTINUANCE OF MEDIATION
AND REQUESTING STUDENT TO
CLARIFY COMPLAINT

On February 12, 2015, Student's guardian on behalf of Student filed with the Office of Administrative Hearings a document entitled "Request for Due Process Hearing-Mediation Only" (complaint) naming the Jurupa Unified School District and Riverside County Special Education Local Planning Area. The complaint alleged two issues. The first issue was whether District and County had complied with all procedural requirements for manifestation hearings in the fall of 2014. In the second issue, Student alleges that he has not received a free public education for the past two school years.

On February 18, 2015, OAH issued a scheduling order which scheduled the matter for the expedited issue for mediation on February 26, 2015; Prehearing Conference on March 6, 2015, and the expedited due process hearing for March 12, 16-17, 2015. The scheduling order also included dates for the second unexpedited issues to follow the expedited hearing.

On February 27, 2015, the parties jointly requested that mediation be re-scheduled to March 12, 2015, the day the expedited hearing will commence. Both sides are obligated to file Prehearing Conference Statements on March 3, 2015. Accordingly, the Joint Request is DENIED as the expedited hearing is to commence on March 12, 2015.

Additionally, Student's advocate is directed to advise OAH, no later than 5:00 p.m. on March 3, 2015, as to what type of proceeding is being requested in Student's complaint - either mediation-only or a due process hearing - since it is unclear if the complaint is requesting mediation-only or a due process hearing.

IT IS SO ORDERED.

DATE: March 3, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings